



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held November 18, 2008, the Board took the following action:

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The following statement was entered into the record for Supervisor Yaroslavsky:

“On October 22, 2008, a settlement agreement was finalized between Los Angeles County and various other public agencies and the Los Angeles Department of Water and Power (DWP) to resolve charges that the DWP had overcharged the County and other customers for electricity (the “Barakat” case). This settlement required the DWP to provide the County with just over \$10.5 million to pay for energy conservation projects designed to lower energy consumption in L.A. County buildings that are located in DWP service territory.

“Under the settlement agreement, the energy conservation money must be deposited into a restricted fund and made available to the County within 30 days of the date the lawsuit was dismissed, or by November 21, 2008. The settlement provides that the County can draw down these funds to pay for future or past energy conservation projects (retroactive to July 1, 2006) that are designed to lower energy demand or consumption in County buildings located in DWP’s service territory. The funds in the account will gain interest for the County’s benefit.

“During the settlement discussions, County Counsel and the other involved Departments assured the Board of Supervisors that the Board would be provided with recommendations relating to the County’s use of these funds. However, to date, the Board of Supervisors has not been formally apprised of any expenditure plan.

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“There is an urgent need to swiftly use these funds so that we can begin to realize the financial and environmental benefits of reducing the County’s electricity use as soon as possible. To that end, and to ensure that the money is spent efficiently, equitably, and expeditiously, the Chief Executive Office in conjunction with the Internal Services Department, the Auditor-Controller and County Counsel should immediately report back to the Board of Supervisors regarding their recommended criteria for allocating the funds.”

Therefore, on motion of Supervisor Yaroslavsky, seconded by Supervisor Antonovich, unanimously carried (Supervisor Molina being absent), the Chief Executive Officer was instructed to report back to the Board within 30 days with an expenditure program to utilize the energy conservation project funds made available as a result of the settlement in County of Los Angeles et al., ex rel. Barakat v. Los Angeles Department of Water and Power on eligible projects that will:

1. Be consistent with State and Federal regulations;
2. Achieve the greatest long-term energy savings at the lowest initial cost; and
3. Be consistent with ongoing County efforts to achieve Leadership in Energy and Environmental Design (LEED) Certification for existing buildings in order to improve employee health, make the operation of County buildings more environmentally sustainable, and increase the public’s awareness of steps that everyone can take to reduce their own electricity bills.

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County Counsel
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Acting Director of Public Works
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